

R E M A R K S

Claims 35 and 37-68 are now in this Application, and are presented for the Examiner's consideration.

Claims 35, 37-40, 46 and 52-65 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,940,403 to Kail, IV, and claims 36, 41-45, 47-51 and 66-67 were rejected under 35 U.S.C. §103(a) as being obvious from Kail, IV.

Since the limitations of claim 36 have been incorporated into apparatus claim 35 and method claim 60, and since there is only a single applied reference, these rejections will be considered together.

It will be appreciated that the claimed invention relates to a personal alarm system comprising a responder device, and a personal alarm signaling device adapted to be worn on the user's body. The present invention has been designed such that the bodily worn device can be made to be very small and lightweight, such that an elderly or sick individual could carry the bodily worn device without it being obtrusive.

The personal alarm signaling device of the present invention includes an interface comprising a sound receiving member (microphone) and a sound producing member (speaker), which provides immediate true two-way conversation via the alarm signaling device.

Incorporating the feature of true two-way conversation into a wireless alarm signaling device which can be worn on the patient's body, provides the advantage that this enables a patient to converse with the emergency services or a caregiver, and to fully convey the nature and extent of their emergency, without the complication, or delay of a one-way messaging system. Immediate two-way conversation removes the considerable anxiety associated with waiting to determine whether a message or alarm signal has been received, and then waiting for the responder to reply, which are common problems of the alarm signaling devices of the prior art.

It is submitted that none of the cited prior art documents disclose a bodily worn system capable of providing immediate true two-way conversation between a patient and an end user. In addition, it is submitted that such a system is not readily derivable from the prior art, other than by using hindsight analysis.

In this regard, claim 1 has been amended to include the features of the microphone (sound receiving member) and loudspeaker (sound producing member) from claim 36, which has been canceled, and to specify that the device provides the feature of true instantaneous two-way conversation.

It is noted that two-way conversation is different from two-way communication, which may not be instantaneous. For example, the exchange of voice messages may be considered two-way

communication, but could not be objectively considered to constitute 'conversation' which occurs in real time and is instantaneous.

Kail fails to disclose two-way conversation. The Examiner refers to the use of telephones at column 6, lines 1-20. However, this merely describes the use of a mobile phone network to transmit the emergency signal data, rather than for enabling voice communication.

The systems of the prior art address the problem of alerting an emergency responder to an emergency. However, the applicant has established that although alerting a third party that an emergency exists is important as a first step, of equal importance is that the emergency responder is able to converse with the patient to determine the precise nature of the emergency, and that they are able to remain in continuous, immediate verbal contact during the emergency. This serves to relieve the patient's anxiety relating to the situation, and the stress which arises from not knowing when help will arrive. This problem is addressed by the instantaneous two-way conversation facility of the claimed invention.

Therefore, the present invention provides immediate true two-way conversation function on a miniaturized, bodily worn device such as the alarm signaling device of the claimed invention.

None of the cited prior art documents provide the skilled person with the motivation for doing so. The prior art only teaches making known an emergency to an emergency responder, and not that a patient should be able to remain in instantaneous verbal contact with the emergency responder. Therefore, there would be no motivation from the teaching of these documents for a skilled person to introduce the feature of true two-way conversation into a bodily worn alarm signaling device.

Further, another important feature of the present invention which is not disclosed or suggested by Kail, is the combination of the alarm signal and power-on buttons, such that the device is activated only when the alarm button is pressed. This ensures that the alarm signal device only begins to draw power once the alarm has been activated, thereby significantly extending the life of the battery. Reference to this feature is included in the description on page 16, lines 21-23 of the present application.

In this regard, a new claim 68 has been added, which recites that the personal alarm signalling device includes an activation button, and the personal alarm signalling device is activated only when the activation button is pressed to ensure that the personal alarm signalling device only begins to draw power once the personal alarm signalling device has been activated by the activation button. Since the total number of claims has not changed, there is no additional claim fee that is due.

Accordingly, it is respectfully submitted that the rejection of claims 35-67 under 35 U.S.C. §102(e) or §103(a), has been overcome.

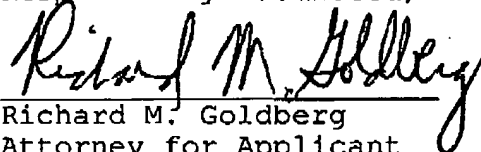
If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper, to Account No. 07-1524.

The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1524.

In view of the foregoing amendments and remarks, it is respectfully submitted that Claims 35 and 37-68 are allowable, and early and favorable consideration thereof is solicited.

Respectfully submitted,



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